

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF APPEALS

Applicant(s): Soria et al.
Serial No.: 09/960,769
For: IMPLEMENTING VERSIONING SUPPORT FOR DATA USING A TWO-
TABLE APPROACH THAT MAXIMIZES DATABASE EFFICIENCY
Filed: 21 September 2001
Examiner: Cesar B. Paula
Art Unit: 2178
Confirmation No.: 6311
Customer No.: 64612 Attorney Docket: STL920000113US1

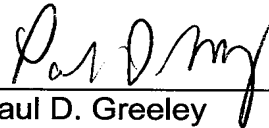
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are enclosing for filing in the above-identified application the following:

1. Notice of Appeal;
2. Pre-Appeal Brief Request for Review; and
3. Transmittal letter

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 09/0460 in the name of International Business Machines Corporation.

Respectfully submitted,



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August 1, 2007

Date

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NOTICE OF APPEAL (37 C.F.R. 41.31)

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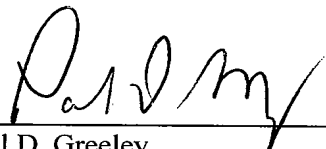
Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated 1 MAY 2007, rejecting claims 1 – 8 and 10 - 43.

Respectfully submitted,

Date

8/1/07



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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants are submitting the present document concurrently with a notice of appeal for the above-noted application. Applicants are requesting that the Office review the final rejection of the claims as set forth in a final office action dated 1 MAY 2007. No amendments are being filed with this request.

Status of the Claims

Claims 1 – 8 and 10 - 43 are pending in the application. The application contains three independent claims, namely claims 1, 17 and 31, which are rejected under 35 U.S.C. 102(b) as being anticipated by International Publication No. WO 99/08206 to Sinander (hereinafter "the Sinander publication"). The dependent claims are being rejected under either (i) 35 U.S.C. 102(b) as being anticipated by the Sinander publication, or (ii) 35 U.S.C. 103(a) as being unpatentable over the Sinander publication in view of another reference. Thus, all of the pending claims are being rejected based on the Sinander publication either alone or in combination with another reference.

Clear Errors in the Examiner's Rejection

Claim 1 recites a method for supporting versioning of data in a content management system, said method comprising:

maintaining a first table for storing an identifier of a most recent version of a data item; and maintaining a second table for storing an identifier of an older version of said data item, wherein, when said data item is to be updated, (i) said second table is updated to include said identifier of said most recent version of said data from said first table, and (ii) said first table is updated to identify a new version of said data item.

The Sinander publication is directed toward a technique for upgrading a database (page. 1, lines 7 - 8). With reference to FIG. 2b, the Sinander publication describes a new table created to receive data that is stored in an old table (page 5, lines 9 - 12). The old table and the new table contain data to be updated, and during the upgrade, both of the old table and new table are updated (to hold updated data) (page 6, lines 7 -15). A systemtable (e.g., Table 1 shown on page 7) holds references to stored procedures (e.g., base version, target version, and upgrade version) (page 7, lines 1 - 22). The base version of a procedure is used during normal operation (page 7, lines 23 - 25). The target version of a procedure is used during an upgrade operation (page 8, lines 1 - 6). The upgrade version facilitates the updating of the old (data) table and the new (data) table (page 8, lines 6 - 13).

As a preliminary point, Applicants wish for the Office to note that in the Sinander publication, FIG. 2b, the old table and the new table each holds data, rather than an identifier of a data item. As such, the old table and the new table are not a disclosure of a first table for storing **an identifier** of a most recent version of a data item, and, a second table for storing **an identifier** of an older version of said data item, as recited in claim 1.

Applicants also considered that in the Sinander publication, the target version column of Table 1 (page 7) could be regarded as a first table, and the base version column of Table 1 could be regarded as a second table. However, even under such an interpretation, the Sinander publication does not teach that the base version column is updated from the target version column. Consequently, the Sinander publication does not disclose that said **second table (for storing an identifier of an older version) is updated** to include said identifier of said most recent version of said data **from said first table (for storing an identifier of a most recent version)**, as recited in claim 1.

Nevertheless, the Office Action, on pages 2 and 3, asserts that the Sinander publication discloses all of the elements of claim 1. In particular, the Office Action asserts that the Sinander publication discloses the “wherein” clause of claim 1 in passages at:

- (a) page 2, lines 33 – 37;
- (b) page 3, lines 16 – 25;
- (c) page 5, lines 9 – 14; and
- (d) page 8, lines 15 – 25.

Applicants disagree with the Office Action’s assertion. Below, Applicants are providing Applicants’ rationale.

(a) The Sinander publication, page 2, lines 33 – 37 describes tables of data, not tables of identifiers. Therefore, the Sinander publication, page 2, lines 33 – 37 does not disclose that said second table is updated to include said **identifier** of said most recent version **of said data** from said first table, as recited in claim 1.

(b) The Sinander publication, page 3, lines 33 – 37 describes a replacement of an old version of a component of a database with a new version of the component of the database. The Sinander publication, page 3, lines 33 – 37 does not describe updating of a table, and much less, updating of a table of identifiers. Therefore, the Sinander publication, page 3, lines 33 – 37 does not disclose that said second **table is updated** to include said **identifier** of said most recent version of **said data** from said first table, as recited in claim 1.

(c) The Sinander publication, page 5, lines 9 – 14 describes tables of data, not tables of identifiers. Therefore, the Sinander publication, page 5, lines 9 – 14 does not disclose that said second table is updated to include said **identifier** of said most recent version of **said data** from said first table, as recited in claim 1.

(d) The Sinander publication, page 8, lines 15 – 25 describes an upgrade procedure during which data in an old table and data in a new table are processed and updated. The Sinander publication, page 8, lines 15 – 25 does not describe an updating of a table for storing an identifier of a data item. Therefore, the Sinander publication, page 8, lines 15 – 25 does not disclose that said second table is updated to include said **identifier** of said most recent version of **said data** from said first table, as recited in claim 1.

In view of the reasoning provided above, Applicants submit that claim 1 is novel over the Sinander publication.

Claims 17 and 31 each include recitals similar to that of claim 1, as described above. Accordingly, claims 17 and 31, for reasoning similar to that provided in support of claim 1, are also novel over the Sinander publication.

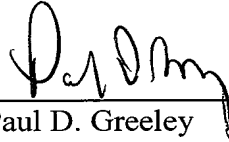
Applicants submit that none of the other references make up for the deficiencies of the Sinander publication, as the Sinander publication relates to claims 1, 17 and 31. Thus, claims 1, 17 and 31, as well as all claims that depend from any of claims 1, 17 and 31, are both novel and patentable over the cited references.

Applicants are requesting that the Office withdraw the rejections of the claims set forth in the Office Action.

Date

8/1/07

Respectfully submitted,



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